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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 GREGORY NEAL GONZALES,  
8 individually and on behalf of all others  
9 similarly situated,

10 Plaintiff,

11 v.

12 BNSF RAILWAY COMPANY,

13 Defendant.

NO. 2:17-CV-5193-TOR

ORDER WITHDRAWING  
PLAINTIFF'S MOTION TO REMAND

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15 BEFORE THE COURT is Plaintiff Gregory Neal Gonzales's Motion to  
16 Remand (ECF Nos. 3-6). This matter was submitted for consideration without oral  
17 argument. The Court has reviewed the record and files herein, and is fully  
18 informed. Plaintiff first moved the Court to remand the instant action back to state  
19 court, complaining Defendant has failed to demonstrate that either Plaintiff's  
20 individual claim against Defendant BNSF Railway Company is equal to or exceeds  
\$75,000 or that the class action as a whole has a potential claim for \$5 million

1 under the Class Action Fairness Act. ECF No. 6. Defendant opposed the motion  
2 by demonstrating the class action could exceed \$5 million. ECF No. 22. Plaintiff  
3 now agrees the amount in controversy is met and withdraws the Motion to  
4 Remand. ECF No. 24. For good cause shown and pursuant to Plaintiff's request,  
5 the Motion to Remand is withdrawn.

6 **ACCORDINGLY, IT IS HEREBY ORDERED:**

7 Plaintiff Gregory Neal Gonzales's Motion to Remand (ECF Nos. 3-6) is  
8 **WITHDRAWN** pursuant to Plaintiff's request.

9 The District Court Executive is directed to enter this Order and furnish  
10 copies to counsel.

11 **DATED** February 5, 2018.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE  
Chief United States District Judge